

Application No. 10/826,913
Amendment dated April 13, 2006
Reply to Office Action of March 16, 2006

REMARKS/ARGUMENTS

Applicant believes that each of the three species (FIGURES 3, 4a, and 5, respectively) identified by the Examiner are patentably indistinguishable forms of the claimed invention. It would have been reasonable to have included the resilient layer 142 (FIGURE 4a) and the locking mechanism 136 (FIGURE 5) in a single view, for example, FIGURE 3 and still have claimed each of these features as has been done in the instant claims. Applicant doubts that had the FIGURES disclosed the invention this manner, that the additional Restriction Requirement would not have been imposed. Each of the aforementioned features only slightly modifies the form of the spacer as disclosed and claimed. For at least these reasons, Applicant respectfully requests that the Examiner withdraw the requirement for an Election of Species and examine all the claims.

Notwithstanding the foregoing argument and only if the Examiner upholds his restriction requirement, Applicant hereby elects, with traverse, the claims 1 - 8 associated with the species identified in FIGURE 3.

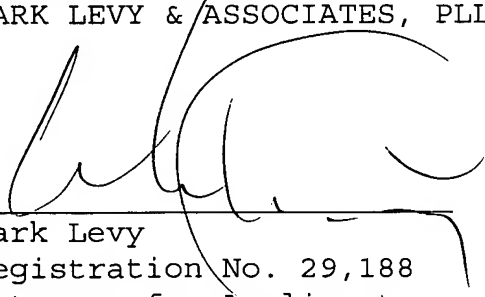
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4/17/06
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